IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VULCAN GOLF, LLC, JOHN B. SANFILLIPPO & SON, INC., BLITZ REALTY GROUP, INC., and VINCENT E. "BO" JACKSON, individually and on behalf of all others similarly situated,	§	
	§	Civil Action No.: 07-C-3371
Lead Plaintiff,	§	
	§	Hon. Blanche M. Manning
v.	§	
	§	
GOOGLE INC., OVERSEE.NET, SEDO LLC, DOTSTER, INC., a/k/a REVENUEDIRECT.COM, INTERNET REIT, INC. d/b/a IREIT, INC., and JOHN DOES I-X,	§	Magistrate Geraldine Soat Brown
	§	
Defendants.	§	

PLAINTIFFS' MOTION FOR LEAVE TO FILE
A RESPONSE TO DEFENDANTS' SUR-REPLY

NOW COME plaintiffs Vulcan Golf, LLC, John B. SanFilippo & Son, Inc., Blitz Realty Group, Inc., and Vincent E. "Bo" Jackson, by and through their attorneys, and for their Motion for Leave to File a Response to Defendants' Sur-Reply, state as follows:

1. On August 21, 2008, plaintiffs filed their Motion for Class Certification.

2. On September 11, 2008, defendants filed their Consolidated Opposition to Plaintiffs' Motion for Class Certification.

3. On September 25, 2008, plaintiffs filed their Reply in Support of Motion for Class Certification, which proposed new sub-classes in response to certain of defendants' arguments.

4. On September 29, 2008, recognizing that the sub-classes have been proposed for the first time in the reply, this Court ordered defendants to file a consolidated sur-reply.

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5. On October 15, 2008, defendants filed their 23-page Consolidated Sur-Reply to Plaintiffs' Motion for Class Certification (the "Sur-Reply"), which contained several new arguments regarding the proposed sub-classes.

6. As Plaintiffs bear the burden of proof and persuasion, they are entitled to address defendants' new arguments and to have the last word on their motion.

7. Defendants would not be unfairly prejudiced by the Court granting Plaintiffs' leave to file a response to Defendants' Sur-Reply brief in regards to Plaintiffs' Motion for Class Certification.

8. Plaintiffs have attached hereto as Exhibit A a proposed brief of nine (9) pages in length.

WHEREFORE, plaintiffs hereby move this Honorable Court to enter an Order allowing the following relief:

1. Granting leave to plaintiffs to file the attached Response to Defendants' Consolidated Sur-Reply; and

2. Any other relief as appropriate and just.

Dated: October 21, 2008

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CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2008, I electronically filed the foregoing document with the clerk of court for the U. S. District Court, Northern District of Illinois, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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